ILLINOIS POLLUTION CONTROL BOARD
June 23, 1994

PEOPLE OF THE STATE OF ILLINOIS,	)	
Complainant,	)	
v.	)	PCB 94-173 (Enforcement)
HEALTH O METER PRODUCTS, INC, a Delaware Corporation,	)	
Respondent.	)	

ORDER OF THE BOARD:

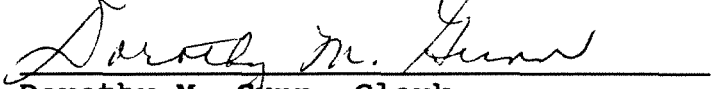
On June 7, 1994, the Illinois Attorney General, on behalf of the People of the State of Illinois and the Illinois Environmental Protection Agency, filed a formal complaint naming Health O Meter Products, Inc. as a respondent. On the same day, the parties filed a stipulation and proposal for settlement accompanied by a request for relief from the requirements of Section 31(a)(1) of the Environmental Protection Act (Act) that proposed stipulated settlements be presented at public hearing. (415 ILCS 5/31(a)(1) (1992).)

Section 31(a)(2) of the Act provides that whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the requirement of a hearing. The Board is required to cause notice of the stipulation, proposal and request for relief to be published, unless the Board in its discretion, concludes that a hearing is necessary. The notice is required to include a statement that any person may file a written demand for hearing within 21 days after receiving the notice. If any person files a timely written demand for hearing, the Board shall deny the request for relief from a hearing and hold a hearing.

The Board accordingly directs the Clerk to cause publication of the required newspaper notice. The Board will reserve ruling on the parties' request until after the statutory 21 days has passed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 23rd day of June, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board